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2016-CV17538 - K WESLEY V ANNE ALON ET AL (E-CASE)

Case Header	Parties & Attorneys	Docket Entries	Charges, Judgments & Sentences	Service Information	Filings Due	Scheduled Hearings & Trials	Civil Judgments	Garnishments/Execution
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09/29/2020

 [Entry of Appearance Filed](#)

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**Filed By:** ERIC TURNER [Entry of Appearance Filed](#)

Entry of Appearance; Electronic Filing Certificate of Service.

**Filed By:** ERIC TURNER

09/15/2020

 [Notice of Service](#)

Return of service-Regev Alon; Electronic Filing Certificate of Service.

**Filed By:** ROBIN ANNE KOGLER [Notice of Service](#)

Return of service-Anne Alon; Electronic Filing Certificate of Service.

**Filed By:** ROBIN ANNE KOGLER**On Behalf Of:** K WESLEY [Corporation Served](#)

Document ID - 20-SMCC-7770; Served To - ALON, REGEV; Server - ; Served Date - 04-SEP-20; Served Time - 09:52:00; Service Type - Special Process Server; Reason Description - Served; Service Text - Served upon Jim Harstad - Manager, McDonalds.

 [Corporation Served](#)

Document ID - 20-SMCC-7769; Served To - ANNE ALON; Server - ; Served Date - 04-SEP-20; Served Time - 09:52:00; Service Type - Special Process Server; Reason Description - Served; Service Text - Served upon Jim Harstad.

09/03/2020

 [Summons Issued-Circuit](#)

Document ID: 20-SMCC-7770, for ALON, REGEV.

 [Summons Issued-Circuit](#)

Document ID: 20-SMCC-7769, for ANNE ALON.

 [Case Mgmt Conf Scheduled](#)**Scheduled For:** 01/06/2021; 9:00 AM ; KEVIN DUANE HARRELL; Jackson - Kansas City

08/27/2020

 [Order - Special Process Server](#)

08/25/2020

 [Request for Jury Trial Filed](#) [Filing Info Sheet eFiling](#)**Filed By:** ROBIN ANNE KOGLER [Note to Clerk eFiling](#)**Filed By:** ROBIN ANNE KOGLER [Proposed Order Filed](#)

Proposed Order.

**Filed By:** ROBIN ANNE KOGLER**On Behalf Of:** K WESLEY [Motion Special Process Server](#)

Motion for Private Process.

**Filed By:** ROBIN ANNE KOGLER [Pet Filed in Circuit Ct](#)

Petition.

 [Judge Assigned](#)**EXHIBIT****1**

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY**

<b>K. WESLEY</b>	)	
7941 Olive St.	)	
Kansas City, MO 64132	)	
	)	
<b>Plaintiff,</b>	)	<b>Case No.</b>
	)	
<b>v.</b>	)	
	)	<b>JURY TRIAL DEMANDED</b>
<b>ALON, ANNE &amp; REGEV D/B/A MCDONALDS</b>	)	
7887 State Line Rd.	)	
Kansas City, MO 64114	)	
	)	
<b>Defendant.</b>	)	

**PETITION**

**I. Preliminary Statement**

1. COMES NOW, Plaintiff, K. Wesley, by and through his attorneys of record, Kevin Baldwin, Eric Vernon, Sylvia Hernandez, and Robin Koogler of Baldwin & Vernon, and brings this cause of action against Defendant Alon, Anne & Regev d/b/a McDonalds, hereinafter referred to as "Defendant Company" and/or "McDonalds." This action seeks declaratory, injunctive and equitable relief, actual, compensatory and punitive damages, and costs and attorneys' fees in accordance with R.S.M.o §213 *et. seq.*, and under Missouri Common Law for Defendant Company's conduct and actions taken against Plaintiff.

**II. Jurisdiction**

2. Plaintiff is alleging claims of employment discrimination and retaliation under the Missouri Human Rights Act (MHRA), 213.010, *et seq.*, R.S.MO., for discrimination based upon race, age, retaliation and hostile work environment.

3. Jurisdiction is invoked pursuant to §213.010 *et seq.* R.S.MO. Plaintiff's original charge of discrimination filed with the Equal Employment Opportunity Commission and the MCHR, is

attached hereto as exhibit 1 and the facts and circumstances stated therein are hereby incorporated as if fully set forth herein.

4. The Plaintiff, based upon reasonable belief at this time absent discovery, indicates that the amount of compensatory and/or special damages in controversy is in excess of \$25,000.00; in addition, Plaintiff seeks declaratory, injunctive and equitable relief, as well as punitive damages, pursuant to §213.010 *et seq.* R.S.MO. Costs and attorneys' fees may be awarded pursuant to §213.010 *et seq.* R.S.MO. and are requested by Plaintiff.

### **III. Venue**

5. This action properly lies in the Circuit Court of Jackson County, Missouri, pursuant to §213.010 *et seq.* R.S.MO., because the claim arose in this judicial district, and because unlawful employment practices were committed in this judicial district.

### **IV. Parties**

6. Plaintiff is a resident of the United States residing at 7941 Olive St. Kansas City, MO 64132.

7. Defendant Alon, Anne & Regev d/b/a McDonalds, hereinafter referred as "Defendant Company," is an employer engaged in an industry affecting commerce, and, upon information and belief, employs more than 100 regular employees. Defendant Company is a corporation, (containing within its charter the requisite authority to sue and be sued), and does business in this judicial district, doing business at various locations located within Jackson County, Missouri, at relevant times referred to herein, and specifically at 7887 State Line Rd. Kansas City, MO 64114. Defendant Company is an employer within the meaning of §213.010, *et seq.*, R.S.MO. Defendant Company is subject to the MHRA's prohibition on employment discrimination and retaliation for its employees.

8. Prior to filing this Petition for Damages, Plaintiff sought administrative relief through the Equal Employment Opportunity Commission and the Missouri Commission on Human Rights to no avail and exhausted all required administrative procedures prior to filing this Petition for Damages.

#### **V. Facts Common to All Counts**

9. Plaintiff, K. Wesley, is a 44-year-old male, who worked for McDonalds ("Defendant Company") for approximately 5 months.

10. Prior to working at Defendant Company Plaintiff left Gates Barbeque due to his heart condition. As the inhaling of the smoked meats was taking a toll on Plaintiff's heart.

11. Plaintiff left Gates Barbeque on or about September 17, 2019.

12. On or about November 3, 2019, Plaintiff's began working for McDonalds.

13. Plaintiff's general manager's name was Jason.

14. Jason (white) was a professional and he taught Plaintiff a lot under his leadership.

15. Rex Schneider (white) hired Plaintiff and before they met Rex thought Plaintiff was white, he asked Plaintiff on the phone before the interview and Plaintiff told him he would rather not answer that question.

16. When Rex met Plaintiff and saw the color of his skin the original offer of pay was decreased to \$40,000 a year when Plaintiff had been promised \$48,500 as a yearly salary.

17. Later, for some unknown reason, Plaintiff was transferred to Defendant Company's location on 75<sup>th</sup> and State Line.

18. Plaintiff's new manager's name was Jim.

19. Plaintiff's previous manager Jason told Plaintiff that he did not get along with Jim.

20. On or about December 31, 2019, Plaintiff started at the State Line location.

21. Plaintiff got there at 8:00 AM and staff members (black) befriended Plaintiff and went and told Jim (white) that Plaintiff had arrived.

22. Jim was helping on the front line when Lame (black) went and told him Plaintiff had arrived.

23. Plaintiff made eye contact with Jim, Jim rolled his eyes at Plaintiff and Plaintiff waited for over an hour before Jim approached Plaintiff.

24. Jim looked disappointed that Plaintiff was black.

25. Needless to say, working at the State Line location was hell for Plaintiff.

26. After only a week, Plaintiff could see major discrepancies between the white staff and the black staff.

27. Plaintiff was the only black male in a management position.

28. On Plaintiff's first day, Jim had Plaintiff time-in and Plaintiff mentioned to him that he was on salary.

29. Jim did not believe Plaintiff.

30. Jim said, "we do not give black managers just coming in the door salary."

31. Plaintiff immediately contacted Rex and texted Jason and told them that he was struggling with Jim.

32. The following week, Rex came out on site and spoke with Plaintiff about the situation.

33. Rex told Plaintiff, "I have known Jim for 20 years and he's never going to change," then Rex left.

34. Essentially Defendant Company was stating they were aware that Jim was a racist and Plaintiff just had to deal with it, since Jim was not going to change.

35. Plaintiff never received a policy and procedure handbook and he asked for on several occasions.

36. Jim always referred to black women as “girls” and black men as “boys” and there were some employees that just allowed it.

37. Plaintiff and a couple other black employees that did not appreciate it.

38. As a manager there were required meetings.

39. Plaintiff was left out of several meetings that he did not know about because Jim never gave Plaintiff the information.

40. Jim refused to train Plaintiff and insisted that others do it.

41. Essentially, Plaintiff was being set up to fail.

42. Jim also harassed Plaintiff about how he dressed at work.

43. Jim would say things like, “why do black men always dress like they are going to church?” or he would ask Plaintiff things like, “how do you afford to drive a Cadillac?”

44. As a manager, Plaintiff had no authority over the white staff, Jim told Plaintiff that he was not allowed to tell the white people what to do.

45. Jim would also tell the black employees that, “he was so tired of them niggas wasting his food.”

46. He would make fun of black customers that came in – “ya’ll watch out they are coming to rob us.”

47. Most of the white management at the State Line location were not clean, not shaven, and wore dirty clothes.

48. Plaintiff was a professional, very clean.

49. On or about January 22, 2020, Jim asked Plaintiff, "whats up big pimpin?" – Plaintiff was shocked and very embarrassed. Plaintiff looked at Jim and ignored his comment.

50. Jim then came up to Plaintiff and said, "I thought that's what black guys liked to be called!"

51. Plaintiff then called Rex and reported the comments Jim made. There was no response, so Plaintiff left a message.

52. On or about January 24, 2020, Jim mentioned to Plaintiff that he shouldn't be on salary.

53. Plaintiff stated, "I did not start with salary – I am going to talk to Rex about it."

54. As Jim spoke to Rex, he described Plaintiff as "the black manager."

55. Jim mentioned that his brother-in-law was black and then told Plaintiff that he asked his brother-in-law "why black people's heads are so big."

56. Plaintiff responded that if he was his brother-in-law, he would have cussed him out.

57. Plaintiff complained to Rex about racial issues several times and asked for a transfer, which was not granted.

58. Two black men were fired after they stood up to Jim for calling them, "boy."

59. Plaintiff's son also worked at the State Line location and Jim did not know that he was Plaintiff's son until Plaintiff told him not to call him "boy."

60. After complaining for weeks about the racially hostile atmosphere created by Jim, Plaintiff was terminated.

61. The week prior to Plaintiff's termination he had given Rex a list of people that had been complaining about Jim's racial slurs/comments.

62. Rex wanted Plaintiff to give the names to him again in front of Jim.

63. Plaintiff told him that they were the same list of names that he gave him last week, but Rex was insistent that Plaintiff repeat the names in front of Jim.

64. Plaintiff did not want to do this because Plaintiff did not want to jeopardize the jobs of other individuals.

65. Rex then told Plaintiff, "if you can't give me the names again then there is no reason for you to work for me anymore," and then instructed Plaintiff to turn in his keys, etc.

66. Plaintiff could not take anything that belonged to him at that time.

67. Plaintiff left his food handlers license and other belongings.

68. Two days or so after Plaintiff was terminated his license was deemed, "missing."

69. Jim told Anne Alon (location owner) that Plaintiff didn't give it to him which was a lie.

70. Plaintiff had tried to contact the owner, Anne Alon, but she never got back to him.

71. A week later one of the black employees called Plaintiff and said she found his license in the trash.

72. Plaintiff has experienced, is now experiencing, and will continue to experience into the indefinite future, garden variety emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary losses as a direct result of Defendant Company's conduct.

73. Plaintiff has suffered and will continue to suffer future pecuniary losses as a direct result of Defendant Company's conduct.

74. Defendant Company and its managers and other employees actively engaged in discrimination against Plaintiff with malice or in reckless indifference to his right to be free from such discrimination under the MHRA.

## **VI. Causes of Action**

### **COUNT I**

#### **RACIAL DISCRIMINATION AGAINST DEFENDANT COMPANY**

75. Plaintiff hereby incorporates and re-alleges all previously alleged Paragraphs as if fully set forth herein.

76. Defendant Company's actions, as noted above, constituted a pattern and practice of racial discrimination against Plaintiff in violation of the MHRA.

77. Defendant Company's actions, as noted above, were discriminatory, continuous, arbitrary, and capricious and constituted a disparity in treatment toward Plaintiff as compared to similarly situated individuals who were not Black and, as such, Defendant Company's actions were unlawful employment practices in violation of the MHRA.

78. Defendant Company considered Plaintiff's race as a motivating factor in the decision to treat him disparately, by subjecting him to discriminatory references and/or comments, refusing to pay his promised salary, refusing to train him, setting him up to fail, and ultimately terminating him. Furthermore, Defendant Company failed to provide a workplace free of racially charged comments directed towards Plaintiff.

79. At the time these actions were taken by Defendant Company, Defendant Company's actions were outrageous because of their evil motive or reckless indifference to the rights of the Plaintiff and others to be free from such discrimination.

80. Defendant Company's actions were unlawful employment practices in violation of the MHRA.

81. Plaintiff has been damaged by Defendant Company's unlawful employment actions.

**COUNT II**

**RETALIATION**

**AGAINST DEFENDANT COMPANY**

82. Plaintiff hereby incorporates and re-alleges all previously alleged Paragraphs as if fully set forth herein.

83. Plaintiff hereby alleges claims of retaliation against Defendant Company.

84. Defendant Company's actions, as noted above, constituted retaliation against Plaintiff in violation of the MHRA.

85. Plaintiff's actions of complaining of what he believed to be acts in violation of the Missouri Human Rights Act as set forth herein was a motivating factor in the Defendant Company's decision to retaliate against him by treating him differently, subjecting him to a hostile work environment, subjecting him to a heightened level of scrutiny, setting him up to fail, and/or terminating him from his employment with Defendant Company.

86. At the time these actions were taken, Defendant Company knew that their actions were unlawful, and Defendant Company's actions were undertaken maliciously and/or in reckless disregard for Plaintiff's right to be free from discrimination.

87. Defendant Company's actions were outrageous because of their evil motive or reckless indifference to the rights of the Plaintiff when they engaged in acts of retaliation against the Plaintiff that culminated in his termination.

88. Plaintiff has been damaged by Defendant Company's unlawful employment actions in violation of the MHRA.

**COUNT III**

**RACIALLY HOSTILE WORK ENVIRONMENT  
AGAINST DEFENDANT COMPANY**

88. Plaintiff hereby incorporates and re-alleges all previously alleged Paragraphs and attached exhibits as if fully set forth herein.

89. Plaintiff hereby alleges racially hostile work environment against Defendant Company.

90. Plaintiff's race (black) was a motivating factor in Defendant Company's decision to allow race discrimination and the existence of the aforementioned racially hostile work environment directed at the Plaintiff.

91. Defendant Company's actions, as noted above, constituted race discrimination via the creation and allowed existence of a racially hostile work environment to which Plaintiff was subjected in violation of the MHRA as Defendant Organization and its supervisors were aware of the illegal acts of its employees and managers, and did not take action to stop or prevent the acts that violated the Missouri Human Rights Act.

92. Defendant Company's actions, as noted above, were discriminatory, continuous, arbitrary and capricious and constituted a disparity in treatment toward Plaintiff and his race was a contributing factor in the decision to discriminate against him and to allow the creation and fostering of a racially hostile work environment to which Plaintiff was subjected.

93. At the time these actions were taken by Defendant Company, Defendant Company knew that these actions were unlawful and Defendant Company's action were undertaken maliciously and/or in reckless disregard for Plaintiff's right to be free from discrimination.

94. Plaintiff has been damaged by Defendant Company's unlawful employment actions.

**COUNT IV**

**AGE DISCRIMINATION  
AGAINST ALL DEFENDANTS JOINTLY AND SEVERALLY**

95. Plaintiff hereby incorporates and re-alleges all previously alleged Paragraphs as if fully set forth herein.

96. Plaintiff is an individual subject to the protection of the MHRA based upon the fact that he was over 40 years old at the time of the events alleged herein.

97. Defendant's actions, as noted above, constituted discrimination against the Plaintiff in violation of the MHRA.

98. Defendant Company terminated Plaintiff's employment and Plaintiff's age was a motivating factor in the decision to terminate his employment.

99. At the time these actions were taken by Defendant Company, Defendant Company knew these actions were unlawful and that they were done with an evil motive and/or reckless indifference to the rights of Plaintiff to be free from such discrimination.

100. Defendant's actions were unlawful employment practices in violation of the MHRA.

101. Plaintiff has been damaged by Defendant's unlawful employment actions.

**VII. Prayer for Relief**

102. Wherefore, Plaintiff prays that this Court:

- a. declare the conduct engaged in by Defendant Alon, Anne & Regev d/b/a McDonalds to be in violation of Plaintiff's rights;
- b. enjoin Defendant Alon, Anne & Regev d/b/a McDonalds, and its managers/supervisors from engaging in such conduct;
- c. restore Plaintiff to his rightful position with Defendant Alon, Anne & Regev d/b/a McDonalds or, in lieu of reinstatement, order front salary and benefits

for the period remaining until normal retirement;

- d. award Plaintiff equitable relief of back salary and fringe benefits up to the date of reinstatement and prejudgment interest for that entire period or front salary and benefits accrual;
- e. award Plaintiff compensatory, punitive and liquidated damages against Defendant Company;
- f. award Plaintiff damages for emotional pain and suffering;
- g. award Plaintiff his costs and attorneys' fees; and
- h. grant such other relief as it may deem just and proper.

**DEMAND FOR A JURY TRIAL**

Plaintiff demands trial by jury on all issues triable by a jury in this complaint.

Respectfully submitted,

By: /s/ Robin Koogler

Kevin Baldwin, MO Bar No. #49101  
Eric Vernon, MO Bar No. #47007  
Sylvia Hernandez, MO Bar No. #70670  
Robin Koogler, MO Bar No. #71979

**BALDWIN & VERNON**

108 S Pleasant St.  
Independence, MO 64050  
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[Robin@bvalaw.net](mailto:Robin@bvalaw.net)

ATTORNEYS FOR PLAINTIFF

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

K. WESLEY )  
7941 Olive St. )  
Kansas City, MO 64132 )  
Plaintiff, ) Case No.  
v. )  
ALON, ANNE & REGEV D/B/A MCDONALDS ) JURY TRIAL DEMANDED  
7887 State Line Rd. )  
Kansas City, MO 64114 )  
Defendant. )

**MOTION FOR APPROVAL AND APPOINTMENT  
OF PRIVATE PROCESS SERVER**

COMES NOW Plaintiff, and for his Motion for Approval and Appointment of Private Process Server, pursuant to Local Rule 4.9 of the Jackson County Circuit Court Rules, states to the Court as follows:

1. The Plaintiff requests that Randy Adkins, PPS20-0225, be appointed to serve process on the Defendants'.
2. The named individual is on the Court's List of Approved Process Servers and all of the information contained in his Application and Affidavit currently on file is still correct.

Respectfully submitted,

By: /s/ *Robin Koogler*

Kevin Baldwin, MO Bar No. #49101  
Eric Vernon, MO Bar No. #47007  
Sylvia Hernandez, MO Bar No. #70670  
Robin Koogler, MO Bar No. #71979  
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ATTORNEYS FOR PLAINTIFF

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

K. WESLEY )  
7941 Olive St. )  
Kansas City, MO 64132 )  
Plaintiff, ) Case No.  
v. )  
ALON, ANNE & REGEV D/B/A MCDONALDS ) JURY TRIAL DEMANDED  
7887 State Line Rd. )  
Kansas City, MO 64114 )  
Defendant. )

**ORDER**

It is hereby ordered that Plaintiff's Motion for Approval and Appointment of Private Process Server is sustained and Randy Adkins, PPS20-0225, is hereby approved and appointed to serve process on Defendant in this case.

---

Date

---

JUDGE

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

K. WESLEY )  
7941 Olive St. )  
Kansas City, MO 64132 )  
Plaintiff, ) Case No.  
v. )  
ALON, ANNE & REGEV D/B/A MCDONALDS ) JURY TRIAL DEMANDED  
7887 State Line Rd. )  
Kansas City, MO 64114 )  
Defendant. )

**ORDER**

It is hereby ordered that Plaintiff's Motion for Approval and Appointment of Private Process Server is sustained and Randy Adkins, PPS20-0225, is hereby approved and appointed to serve process on Defendant in this case.

27-Aug-2020  
Date

*Cheryl Smalley*  
DEPUTY COURT ADMINISTRATOR

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY**

K WESLEY,

PLAINTIFF(S),  
VS.

CASE NO. 2016-CV17538  
DIVISION 18

ALON, ANNE & REGEV D/B/A MCDONALDS,

DEFENDANT(S).

**NOTICE OF CASE MANAGEMENT CONFERENCE FOR CIVIL CASE  
AND ORDER FOR MEDIATION**

---

NOTICE IS HEREBY GIVEN that a Case Management Conference will be held with the Honorable **KEVIN DUANE HARRELL** on **06-JAN-2021** in **DIVISION 18** at **09:00 AM**. All Applications for Continuance of a Case Management Conference should be filed on or before Wednesday of the week prior to the case management setting. Applications for Continuance of a Case Management Conference shall comply with Supreme Court Rule and 16<sup>th</sup> Cir. R. 34.1. Continuance of a Case Management Conference will only be granted for good cause shown because it is the desire of the Court to meet with counsel and parties in all cases within the first 4 months that a case has been on file. All counsel and parties are directed to check Case.NET on the 16<sup>th</sup> Judicial Circuit web site at [www.16thcircuit.org](http://www.16thcircuit.org) after filing an application for continuance to determine whether or not it has been granted.

A lead attorney of record must be designated for each party as required by Local Rule 3.5.1. A separate pleading designating the lead attorney of record shall be filed by each party as described in Local Rule 3.5.2. The parties are advised that if they do not file a separate pleading designating lead counsel, even in situations where there is only one attorney representing the party, JIS will not be updated by civil records department, and copies of orders will be sent to the address currently shown in JIS. Civil Records does not update attorney information from answers or other pleadings. The Designation of Lead Attorney pleading shall contain the name of lead counsel, firm name, mailing address, phone number, FAX number and E-mail address of the attorney who is lead counsel.

At the Case Management Conference, counsel should be prepared to address at least the following:

- a. A trial setting;
- b. Expert Witness Disclosure Cutoff Date;
- c. A schedule for the orderly preparation of the case for trial;
- d. Any issues which require input or action by the Court;
- e. The status of settlement negotiations.

## **MEDIATION**

The parties are ordered to participate in mediation pursuant to Supreme Court Rule 17. Mediation shall be completed within 10 months after the date the case is filed for complex cases, and 6 months after the date the case is filed for other circuit cases, unless otherwise ordered by the Court. Each party shall personally appear at the mediation and participate in the process. In the event a party does not have the authority to enter into a settlement, then a representative of the entity that does have actual authority to enter into a settlement on behalf of the party shall also personally attend the mediations with the party.

The parties shall confer and select a mutually agreeable person to act as mediator in this case. If the parties are unable to agree on a mediator the court will appoint a mediator at the Case Management Conference.

Each party shall pay their respective pro-rata cost of the mediation directly to the mediator.

## **POLICIES/PROCEDURES**

Please refer to the Court's web page [www.16thcircuit.org](http://www.16thcircuit.org) for division policies and procedural information listed by each judge.

/S/ KEVIN DUANE HARRELL  
KEVIN DUANE HARRELL, Circuit Judge

## **Certificate of Service**

This is to certify that a copy of the foregoing was mailed postage pre-paid or hand delivered to the plaintiff with the delivery of the file-stamped copy of the petition. It is further certified that a copy of the foregoing will be served with the summons on each defendant named in this action.

### **Attorney for Plaintiff(s):**

SYLVIA ALEJANDRA HERNANDEZ, 14 SOUTH MAIN STREET, LIBERTY, MO 64068

ERIC EUGENE VERNON, 14 S MAIN ST, LIBERTY, MO 64068

C KEVIN BALDWIN, 14 SOUTH MAIN STREET, LIBERTY, MO 64068

ROBIN ANNE KOOGLER, 304 SE CHELSEA PL, LEES SUMMIT, MO 64063

### **Defendant(s):**

ALON, ANNE & REGEV D/B/A MCDONALDS

Dated: 03-SEP-2020

MARY A. MARQUEZ  
Court Administrator



## IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: KEVIN DUANE HARRELL	Case Number: 2016-CV17538
Plaintiff/Petitioner: K WESLEY  vs.	Plaintiff's/Petitioner's Attorney/Address ROBIN ANNE KOOGLER 304 SE CHELSEA PL LEES SUMMIT, MO 64063
Defendant/Respondent: ANNE ALON DBA: MCDOPNALDS	Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Employment Discrimination 213.111	(Date File Stamp)

**Summons in Civil Case****The State of Missouri to:** ANNE ALON**Alias:****DBA:** MCDOPNALDS7887 STATE LINE RD.  
KANSAS CITY, MO 64114**PRIVATE PROCESS SERVER**

JACKSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-SEP-2020  
Date

Clerk

Further Information:

**Sheriff's or Server's Return****Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.  
 leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.  
 (for service on a corporation) delivering a copy of the summons and a copy of the petition to

(name) \_\_\_\_\_ (title). \_\_\_\_\_

 other \_\_\_\_\_.

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

(Seal)

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_

Date

Notary Public

**Sheriff's Fees**

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \$ \_\_\_\_\_

Supplemental Surcharge \$ \_\_\_\_\_.10.00 \_\_\_\_\_

Mileage \$ \_\_\_\_\_ ( \_\_\_\_ miles @ \$. \_\_\_\_ per mile)

**Total** \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

## **SUMMONS/GARNISHMENT SERVICE PACKETS ATTORNEY INFORMATION**

Under the Missouri e-filing system now utilized by the 16<sup>th</sup> Judicial Circuit Court, once a case has been accepted for filing, a clerk prepares the necessary documents for service. The summons/garnishment is sent to the attorney by an e-mail containing a link so that the filer may print and deliver the summons/garnishment, pleadings and any other necessary documents to the person designated to serve the documents.

Pursuant to State statutes, Supreme Court Rules and Local Court Rules, attorneys are required to print, attach and serve specific documents with certain types of Petitions and other filings.

Please refer to the Court's website for instructions on how to assemble the service packets at:

[16thcircuit.org](http://16thcircuit.org) → Electronic Filing Information → Required Documents for Service – eFiled cases → Summons/Garnishment Service Packet Information.

Please review this information periodically, as revisions are frequently made. Thank you.

Circuit Court of Jackson County



## IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: KEVIN DUANE HARRELL	Case Number: 2016-CV17538
Plaintiff/Petitioner: K WESLEY  vs.	Plaintiff's/Petitioner's Attorney/Address ROBIN ANNE KOGLER 304 SE CHELSEA PL LEES SUMMIT, MO 64063
Defendant/Respondent: ANNE ALON DBA: MCDOPNALDS	Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Employment Discrimination 213.111	(Date File Stamp)

**Summons in Civil Case****The State of Missouri to:** REGEV ALON**Alias:****DBA: MCDONALDS**7887 STATE LINE RD  
KANSAS CITY, MO 64114**PRIVATE PROCESS SERVER**

JACKSON COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

03-SEP-2020  
Date

Clerk

Further Information:

**Sheriff's or Server's Return****Note to serving officer:** Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.  
 leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.  
 (for service on a corporation) delivering a copy of the summons and a copy of the petition to

(name) \_\_\_\_\_ (title). \_\_\_\_\_

 other \_\_\_\_\_.

Served at \_\_\_\_\_ (address)

in \_\_\_\_\_ (County/City of St. Louis), MO, on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

**Must be sworn before a notary public if not served by an authorized officer:**

(Seal)

Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_

Date

Notary Public

**Sheriff's Fees**

Summons \$ \_\_\_\_\_

Non Est \$ \_\_\_\_\_

Sheriff's Deputy Salary \$ \_\_\_\_\_

Supplemental Surcharge \$ \_\_\_\_ 10.00

Mileage \$ \_\_\_\_\_ ( \_\_\_\_ miles @ \$. \_\_\_\_ per mile)

**Total** \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

## **SUMMONS/GARNISHMENT SERVICE PACKETS ATTORNEY INFORMATION**

Under the Missouri e-filing system now utilized by the 16<sup>th</sup> Judicial Circuit Court, once a case has been accepted for filing, a clerk prepares the necessary documents for service. The summons/garnishment is sent to the attorney by an e-mail containing a link so that the filer may print and deliver the summons/garnishment, pleadings and any other necessary documents to the person designated to serve the documents.

Pursuant to State statutes, Supreme Court Rules and Local Court Rules, attorneys are required to print, attach and serve specific documents with certain types of Petitions and other filings.

Please refer to the Court's website for instructions on how to assemble the service packets at:

[16thcircuit.org](http://16thcircuit.org) → Electronic Filing Information → Required Documents for Service – eFiled cases → Summons/Garnishment Service Packet Information.

Please review this information periodically, as revisions are frequently made. Thank you.

Circuit Court of Jackson County



IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: KEVIN DUANE HARRELL	Case Number: 2016-CV17538
Plaintiff/Petitioner: K WESLEY	Plaintiff's/Petitioner's Attorney/Address ROBIN ANNE KOOGLER 304 SE CHELSEA PL LEES SUMMIT, MO 64063
Defendant/Respondent: ANNE ALON DBA: MCDOPNALDS	Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Employmnt Disermntn 213.111	

(Date File Stamp)

**Summons in Civil Case**

The State of Missouri to: ANNE ALON Alias: DBA: MCDOPNALDS  7887 STATE LINE RD. KANSAS CITY, MO 64114	<b>PRIVATE PROCESS SERVER</b>
<p><b>COURT SEAL OF</b>  <b>JACKSON COUNTY</b></p> <p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p> <p>03-SEP-2020 Date</p> <p><i>[Signature]</i> Clerk</p>	
Further Information:	

**Sheriff's or Server's Return**

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.  
 leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.  
 (for service on a corporation) delivering a copy of the summons and a copy of the petition to

Jim Harstad (name) Manager, McDonalds (title).

other \_\_\_\_\_.

Served at 7887 State Line Road, Kansas City, Mo. 64114 (address)  
in Jackson (County/City of St. Louis), MO, on September 4, 2020 (date) at 9:52 AM (time).

Raydell A. Klar

Printed Name of Sheriff or Server

Signature of Sheriff or Server

ANN MARIE ADKINS  
Notary Public - Notary Seal

Clay Co. (Seal) State of Missouri  
Commission Number 13452461  
My Commission Expires Apr 24, 2021

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on 9/4/2020 (date).

My commission expires: 4/24/2021 Date

Ann Marie Adkins  
Notary Public

**Sheriff's Fees**

Summons	\$ <u>55.00</u>
Non Est	\$ _____
Sheriff's Deputy Salary	\$ _____
Supplemental Surcharge	\$ <u>10.00</u>
Mileage	\$ <u>34.90</u> ( <u>58</u> miles @ \$. <u>60</u> per mile)
Total	\$ <u>99.90</u>

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



## IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: KEVIN DUANE HARRELL	Case Number: 2016-CV17538
Plaintiff/Petitioner: K WESLEY	Plaintiff's/Petitioner's Attorney/Address ROBIN ANNE KOOGLER 304 SE CHELSEA PL LEES SUMMIT, MO 64063
Defendant/Respondent: ANNE ALON DBA: MCDOPNALDS	Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Employmnt Discrmntn 213.111	

(Date File Stamp)

**Summons in Civil Case**

The State of Missouri to: REGEV ALON Alias: DBA: MCDONALDS  7887 STATE LINE RD KANSAS CITY, MO 64114	<b>PRIVATE PROCESS SERVER</b>
<b>COURT SEAL OF</b>  <b>JACKSON COUNTY</b>	
<p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p> <p><u>03-SEP-2020</u> Date</p> <p> Clerk</p>	
<p>Further Information:</p>	

<b>Sheriff's or Server's Return</b>	
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<p>Served at <u>7887 State Line Road, Kansas City, Mo 64114</u> (address)</p> <p>in <u>Tackson</u> (County/City of St. Louis), MO, on <u>September 4, 2020</u> (date) at <u>9:52 AM</u> (time).</p>	
<p><u>Randi Adkins</u> Printed Name of Sheriff or Server</p>	
<p>Signature of Sheriff or Server</p>	
<p>ANN MARIE ADKINS Notary Public - Notary Seal State of Missouri (Seal) Commission Number 13432461 My Commission Expires Apr. 24, 2021</p>	
<p>Must be sworn before a notary public if not served by an authorized officer:</p> <p>Subscribed and sworn to before me on <u>9/4/2020</u> (date), My commission expires: <u>4/24/2021</u> Date <u>Ann Marie Adkins</u> Notary Public</p>	

<p><b>Sheriff's Fees</b></p>	
Summons	\$ <u>10.00</u>
Non Est	\$ _____
Sheriff's Deputy Salary	\$ <u>10.00</u>
Supplemental Surcharge	\$ <u>10.00</u>
Mileage	\$ _____ ( _____ miles @ \$. _____ per mile)
Total	\$ <u>10.00</u>
<p>A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.</p>	



IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

Judge or Division: KEVIN DUANE HARRELL	Case Number: 2016-CV17538
Plaintiff/Petitioner: K WESLEY	Plaintiff's/Petitioner's Attorney/Address ROBIN ANNE KOOGLER 304 SE CHELSEA PL LEES SUMMIT, MO 64063
Defendant/Respondent: ANNE ALON DBA: MCDOPNALDS	Court Address: 415 E 12th KANSAS CITY, MO 64106
Nature of Suit: CC Employmnt Disermntn 213.111	

(Date File Stamp)

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<p><b>COURT SEAL OF</b>  <b>JACKSON COUNTY</b></p> <p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p> <p>03-SEP-2020 Date</p> <p><i>[Signature]</i> Clerk</p>	
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other \_\_\_\_\_.

Served at 7887 State Line Road, Kansas City, Mo. 64114 (address)  
in Jackson (County/City of St. Louis), MO, on September 4, 2020 (date) at 9:52 AM (time).

Raydell A. Klar

[Signature]  
Signature of Sheriff or Server

Printed Name of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on 9/4/2020 (date).

My commission expires: 4/24/2021 [Signature]

Notary Public

Date

**Sheriff's Fees**

Summons	\$ <u>55.00</u>
Non Est	\$ _____
Sheriff's Deputy Salary	\$ _____
Supplemental Surcharge	\$ <u>10.00</u>
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<p>Further Information:</p> <p><b>Sheriff's or Server's Return</b></p> <p>Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.</p> <p>I certify that I have served the above summons by: (check one)</p> <p><input type="checkbox"/> delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.</p> <p><input type="checkbox"/> leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with a person of the Defendant's/Respondent's family over the age of 15 years who permanently resides with the Defendant/Respondent.</p> <p><input checked="" type="checkbox"/> (for service on a corporation) delivering a copy of the summons and a copy of the petition to</p> <p><u>Jim Harstake</u> (name) <u>Manager, McDonalds</u> (title).</p> <p><input type="checkbox"/> other _____.</p> <p>Served at <u>7887 State Line Road, Kansas City, Mo 64114</u> (address)</p> <p>in <u>Tackson</u> (County/City of St. Louis), MO, on <u>September 4, 2020</u> (date) at <u>9:52 AM</u> (time).</p> <p><u>Rand Adkins</u> Printed Name of Sheriff or Server</p> <p><i>[Handwritten Signature]</i> Signature of Sheriff or Server</p>	

<p>ANN MARIE ADKINS Notary Public - Notary Seal <i>(Seal)</i> State of Missouri Commission Number 13432461 My Commission Expires Apr. 24, 2021</p> <p>Must be sworn before a notary public if not served by an authorized officer:</p> <p>Subscribed and sworn to before me on <u>9/4/2020</u> (date), My commission expires: <u>4/24/2021</u> Date <i>[Handwritten Signature]</i> Notary Public</p>													
<p><b>Sheriff's Fees</b></p> <table> <tr> <td>Summons</td> <td>\$ <u>10.00</u></td> </tr> <tr> <td>Non Est</td> <td>\$ _____</td> </tr> <tr> <td>Sheriff's Deputy Salary</td> <td>\$ <u>10.00</u></td> </tr> <tr> <td>Supplemental Surcharge</td> <td>\$ _____</td> </tr> <tr> <td>Mileage</td> <td>\$ _____ ( _____ miles @ \$. _____ per mile)</td> </tr> <tr> <td>Total</td> <td>\$ <u>10.00</u></td> </tr> </table>		Summons	\$ <u>10.00</u>	Non Est	\$ _____	Sheriff's Deputy Salary	\$ <u>10.00</u>	Supplemental Surcharge	\$ _____	Mileage	\$ _____ ( _____ miles @ \$. _____ per mile)	Total	\$ <u>10.00</u>
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IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

K Wesley,  
Plaintiff,  
vs.

Anne Alon Et Al,  
Defendant.

Case Number: 2016-CV17538

### Entry of Appearance

Comes now undersigned counsel and enters his/her appearance as attorney of record for Regev Alon, Defendant, in the above-styled cause.

/s/ Eric Turner  
Eric Turner  
Mo Bar Number: 72586  
Attorney for Defendant  
9225 Indian Creek Pkwy  
Corporate Woods 32, Suite 600  
Overland Park, KS 66210  
Phone Number: (913) 253-2176  
eturner@foulston.com

### Certificate of Service

I hereby certify that on September 29th, 2020, a copy of the foregoing was sent through the Missouri eFiling system to the registered attorneys of record and to all others by facsimile, hand delivery, electronic mail or U.S. mail postage prepaid to their last known address.

/s/ Eric Turner  
Eric Turner



IN THE 16TH JUDICIAL CIRCUIT COURT, JACKSON COUNTY, MISSOURI

K Wesley,  
Plaintiff,  
vs.

Anne Alon Et Al,  
Defendant.

Case Number: 2016-CV17538

### Entry of Appearance

Comes now undersigned counsel and enters his/her appearance as attorney of record for Anne Alon, Defendant, in the above-styled cause.

/s/ Eric Turner  
Eric Turner  
Mo Bar Number: 72586  
Attorney for Defendant  
9225 Indian Creek Pkwy  
Corporate Woods 32, Suite 600  
Overland Park, KS 66210  
Phone Number: (913) 253-2176  
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